

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

MOTOROLA MOBILITY, INC. and  
GENERAL INSTRUMENT CORPORATION,

Plaintiffs,

v.

TIVO INC.,

Defendant.

Case No. 5:11-cv-00053-JRG

JURY TRIAL DEMANDED

TIVO INC.,

Counterclaim Plaintiff,

v.

MOTOROLA MOBILITY, INC., GENERAL  
INSTRUMENT CORPORATION, TIME  
WARNER CABLE INC., and TIME  
WARNER CABLE LLC,

Counterclaim Defendants.

**TIME WARNER CABLE'S UNOPPOSED MOTION FOR EXPEDITED  
BRIEFING ON TIME WARNER CABLE'S PENDING MOTION TO  
SEVER AND STAY TIVO'S CLAIMS AGAINST TIME WARNER CABLE**

Time Warner Cable Inc. and Time Warner Cable LLC (collectively “TWC”) respectfully request expedited briefing on their motion to sever and stay Counterclaim Plaintiff TiVo Inc.’s (“TiVo”) counterclaims against TWC (D.I. 110.) in order to address this issue at the Court’s earliest convenience and prior to the August 6<sup>th</sup> due date for TWC’s preliminary invalidity contentions.

TWC has met and conferred with TiVo’s counsel. The parties agree to complete briefing by July 13, 2012: (1) TiVo file and serve its opposition brief by 11:59 PM CDT on Monday, July 9; (2) TWC file and serve its reply brief by 11:59 PM CDT on Wednesday, July 11; and (3) TiVo file and serve its sur-reply brief by 11:59 PM CDT on Friday, July 13.

TWC has also learned that the Court is available for a hearing on TWC’s motion to sever and stay on either the afternoon of July 16 or the morning of July 17. TWC is available at both of those times. TiVo has advised TWC that it is available on the afternoon of July 16 but has scheduling conflicts on July 17. TiVo has also advised that it is agreeable to having the hearing on a later date should the Court prefer.

TWC respectfully requests that the Court grant its request for expedited briefing and enter an expedited briefing schedule that would allow the Court to hear TWC’s motion on July 16 or 17.

DATED: July 3, 2012

Respectfully submitted,

By /s/ Jennifer H. Doan

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*Attorneys for Counterclaim Defendants Time  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that on this 3rd day of July 2012, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3). Any other counsel of record will be served by a facsimile transmission and/or first class mail.

/s/ Jennifer H. Doan  
Jennifer Haltom Doan

**CERTIFICATE OF CONFERENCE**

On July 3, 2012, counsel for TiVo, Garrett Chambers, and counsel for Time Warner Cable, Jennifer Doan, met and conferred regarding this motion for expedited briefing. TiVo does not oppose Time Warner Cable's motion.

/s/ Jennifer H. Doan  
Jennifer Haltom Doan